

NEWS MEDIA PERSONNEL ON SCHOOL GROUNDS

News media personnel are treated differently from other visitors to campuses.

(cf. 1210 - Visitors and Outsiders)

While it is not mandatory that news media personnel register with the principal/designee upon entering the school grounds, the Board of Education requests such personnel to do so. (Penal Code 627.1(a)(7).) If the principal/designee reasonably concludes that the continued presence of news media personnel would be disruptive, or would interfere with classes or other activities of the school personnel, the principal or designee may direct news media personnel to leave the school grounds. (Penal Code 626.4)

Anyone who is directed to leave the school grounds must do so promptly and may not return for at least 48 hours. (Education Code 32210-32211) Failure to comply is a misdemeanor. The site administrator may not, however, use this provision to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly, or to prevent news media personnel from gathering information on newsworthy events. (Penal Code 626.4, 626.8 and Education Code 44810)

Site administrators may seek guidance if news media personnel attempt to interview or photograph students without first obtaining permission from the principal/designee or the student's parents/guardians.

Article I, Section 1 of the California Constitution provides that all people have the right to privacy, and the invasion of that privacy is a tort and a cause of action. However, the right or privacy may not be extended to prohibit publication of matter of general or public interest. Thus, if news media personnel came onto the campus during a newsworthy event such as an athletic contest, an awards ceremony, or a graduation (and such personnel are not disruptive), and the interviews or photographed students are part of the event, it is unlikely that a court would find an invasion of students' privacy.

Legal Reference: (see next page)

NEWS MEDIA PERSONNEL ON SCHOOL GROUNDS

Legal Reference:

EDUCATION CODE

32210 *Willful disturbance of public school or meeting*

32211 *Threatened disruption or interference with classes; misdemeanor*

32212 *Classroom interruptions*

35160 *Authority of governing boards*

35292 *Visits to schools (board members)*

44810 *Interference with school program or activity*

44811 *Disruption*

51512 *Prohibited use of electronic listening or recording device*

EVIDENCE CODE

1070 *Refusal to disclose news source*

LABOR CODE

230.8 *Discharge or discrimination for taking time off*

PENAL CODE

626-626.10 *Schools*

627-627.10 *Access to school premises, especially:*

627.1 *Definitions*

627.2 *Necessity of registration by outsider*

627.7 *Misdemeanors; punishment*

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

Policy

Adopted: September 11, 2000

BREA OLINDA UNIFIED SCHOOL DISTRICT

Brea, California